



TEXAS DEPARTMENT
OF
CRIMINAL JUSTICE

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SUPERSEDES: AD-03.83 (rev. 5)
August 10, 2005

ADMINISTRATIVE DIRECTIVE

SUBJECT: OFFENDERS WHO REFUSE TO COMPLY WITH GROOMING STANDARDS

AUTHORITY: Texas Government Code §§ 493.004, 507.001-.006

Reference: American Correctional Association (ACA) Standards 4-4263 and 4-4283

APPLICABILITY: Correctional Institutions Division (CID) and Private Facility Contract Monitoring/Oversight Division (PFCMOD)

POLICY:

The Texas Department of Criminal Justice (TDCJ) shall establish grooming standards for offenders and ensure compliance for reasons related to security, safety, and sanitation. The only exceptions shall be due to a medically documented issue.

PROCEDURES:

I. Offender Grooming Standards Non-Compliance

Offenders who refuse to shave, cut their hair, or who have extreme haircuts, which are not in compliance with the TDCJ grooming standards, as outlined in the *Offender Orientation Handbook*, shall be charged with offense code 24.1, Refusing to Comply with Grooming Standards. These offenders shall be disciplined in accordance with the *Disciplinary Rules and Procedures for Offenders*. Offenders found guilty of refusing to comply with grooming standards shall be subject to any appropriate penalty contained therein, including cell restriction.

A. General Population

1. Offenders who receive cell restriction as a penalty for refusing to cut their hair, shave, or for having an extreme haircut shall be managed in accordance with AD-03.70, "Cell Restriction for General Population

Offenders.” Special cell restriction (described in AD-03.70 as a Category 3 cell restriction) shall be used for offenders who continually refuse to shave, cut their hair, or who have an extreme haircut. Offenders assessed special cell restriction for refusal to comply with grooming standards shall be subject to the same activities, recreation requirements, and repeat terms as applied to offenders on special cell restriction for refusal to work, as outlined in AD-03.70.

2. Offenders convicted of refusal to comply with grooming standards shall not be assigned to administrative segregation solely for violations of offender grooming standards.

B. Administrative Segregation or Death Row

Offenders in administrative segregation or death row who continually refuse to comply with grooming standards shall be disciplined through the prudent use of cell restriction, and managed as outlined in the following.

1. Offenders found guilty of this offense shall receive up to 15 days of cell restriction and loss of privileges, to include commissary and personal property (except legal material) restrictions. As outlined in the *Disciplinary Rules and Procedures for Offenders*, one term of cell restriction or loss of recreation may not exceed a period of 15 days for each disciplinary conviction. Cumulative terms of cell restriction or loss of recreation penalties shall not exceed 30 days when imposed on administrative segregation offenders, or 90 days when imposed on death row offenders. The cumulative limit is calculated from the date of the most recent conviction.
2. Out-of-cell physical recreation shall be allowed as outlined in the *Disciplinary Rules and Procedures for Offenders*. Offenders in administrative segregation shall be allowed to recreate for one hour every seven days when cell restriction or loss of recreation privileges is imposed as a penalty. When consecutive terms of cell restriction or loss of recreation is imposed on a death row offender, the offender shall be allowed to recreate for one hour every seven days.

- C. Prior to the expiration of the cell restriction term assessed for failure to comply with grooming standards, the offender shall be ordered to comply with the grooming standards. Failure to comply shall result in another charge of refusal to comply with grooming standards and immediate notice of a new charge. The disciplinary hearing officer (DHO) shall attempt to hear the charge before the cell restriction term ends. Upon a finding of guilt, appropriate penalties may be re-imposed. This process may be repeated as necessary to achieve compliance with grooming standards.

- D. When possible, the disciplinary restrictions shall be managed in such a way that offenders on cell restriction for refusal to comply with grooming standards are placed on the same schedule, and can therefore be processed on the same day. If possible, the disciplinary hearings may be held in a location other than the hearing room (e.g., the segregation area) so these offenders are not escorted through the general population areas of the unit.
 - E. It is recommended, whenever possible, that offenders who refuse to comply with the grooming standards be housed in close proximity to one another within the appropriate custody designation.
- II. Disciplinary Hearing (General Population, Administrative Segregation, and Death Row)
- A. At all disciplinary hearings involving the refusal to comply with grooming standards, the DHO shall ensure there is not a medical reason for an offender's failure to shave. An opinion from appropriate medical staff shall be obtained to the effect that no medical condition exists which prevents the offender from complying with grooming standards.
 - B. At such time an offender in disciplinary status expresses a willingness to shave or get a hair cut voluntarily, the offender shall be given the opportunity to do so. An offender's compliance with grooming standards shall be taken into consideration by the warden or designee when deciding to remove or modify the disciplinary sanctions.
- III. Official Photographs and Fingerprints

For identification purposes during intake processing, or to update the offender's identification (ID) card/offender mug shot, all offenders shall cooperate in being fingerprinted and photographed. Male offenders shall be required to shave their face and have their hair cut using a triple aught (000) blade for intake processing photographs. A regulation haircut and clean shaven face shall be required for photographic updates. If an offender refuses to cooperate in this procedure, only the amount of force necessary to gain compliance with the order shall be used, unless precluded by medical orders. The force implemented shall be in accordance with the TDCJ *Use of Force Plan*.

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Executive Director

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